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9
10 UNITED STATES DISTRICT COURT

11 NORTHERN DISTRICT OF CALIFORNIA

12 WILLIAM G. STEWART AND NANCY
13 STEWART,

14 Plaintiffs,

15 vs.

16 BAC HOME LOANS SERVICING, LP, and
17 Does 1 - 100,

18 Defendants.

19 Civil Action No. CV 10-01225SI

20 **STIPULATION TO CONTINUE
21 MEDIATION DEADLINE; and
22 [PROPOSED] ORDER**

23 Date: Sept. 30. 2010

24 Compl. Filed: March 24, 2010
25 Trial Date: None

26 ***Honorable Susan Illston***

STIPULATION

WHEREAS, on July 7, 2010, this Court held its initial status conference in this matter. The Court ordered the parties to participate in mediation prior to September 30, 2010, and set a further status conference for September 10, 2010; and

WHEREAS, on September 8, 2010, pursuant to the Stipulation of the parties, this Court continued the status conference to November 2, 2010; and

WHEREAS, the parties wish to complete key depositions prior to mediation, and have taken one of Plaintiffs' depositions, but will be unable to complete defendant's deposition prior to the current mediation deadline of September 30, 2010; and

WHEREAS, the parties have scheduled mediation for October 22, 2010, by which time the parties will have taken the discovery they need to ensure that the mediation will be productive; and

WHEREAS, the parties therefore agree that good cause exists to seek an extension of the deadline to conduct mediation:

IT IS THEREFORE STIPULATED by and between Plaintiffs and Defendant, through their undersigned counsel of record, that good cause exists to continue the upcoming deadline to conduct mediation from September 30, 2010 by approximately 30 days, and the parties therefore request such a continuance.

SO STIPULATED:

DATED: September 15, 2010

REED SMITH LLP

By /s/
David S. Reidy
Attorneys for Defendant
BAC Home Loans Servicing, LP

DATED: September 15, 2010

LAW OFFICE OF WILLIAM E. KENNEDY

By /s/
William E. Kennedy
Attorneys for Plaintiffs
William G. Stewart and Nancy Stewart

ATTESTATION PURSUANT TO GENERAL ORDER 45

I, David S. Reidy, am the ECF User whose ID and password are being used to file this STIPULATION TO CONTINUE MEDIATION DEADLINE; and [PROPOSED] ORDER. In compliance with General Order 45.X.B, I hereby attest that concurrence in the filing of this document has been obtained from the other signatory. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed this day September 15, 2010, at San Francisco, California.

By /s/
David S. Reidy

ORDER

IT IS THEREFORE ORDERED, based on the above stipulation of the parties and good cause appearing thereon, that the deadline to conduct mediation in this action shall be extended 30 days, from September 30, 2010 to October 29, 2010.

SO ORDERED:

DATED: _____, 2010

Hon. Susan Illston
United States District Court Judge

Hon. Susan Illston
United States District Court Judge